

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:  
DILENI MARIA ROSARIO SANTOS  
DEBTOR(S)

CASE NO. 09-00945 ESL  
CHAPTER 13

**MOTION TO FILE A POST CONFIRMATION MODIFIED PLAN  
DATED MAY 6, 2011**

**TO THE HONORABLE COURT:**

**COME(S) NOW** Debtor(s), represented by the undersigned attorney and respectfully represent(s) and as follows:

1. A Post Confirmation Modified Plan (PCM) dated May 6, 2011 were filed on this day.

The PCM provides for:

- a. *To rearrange the payment plan schedule in order to cured arrears with it and provided for additional periodic payments (3) to increased the base and comply with the best interest of creditors;*
- b. *To limit the payment on First Bank Puerto Rico mortgage loan to the amount paid before the stay was lifted over the collateral guaranteeing that loan;*
- c. *To provide for Banco Santander's post petition mortgage arrears, in response to the motion to lift stay, docket #80;*
- d. *And to request additional attorneys fees for \$350.00.*

2. In compliance with the Court Order of April 27, 2011 fourteen (14) days notice is given to parties in interest to oppose this pcm.

**WHEREFORE**, the undersigned Counsel for the herein Debtor(s) respectfully informs this Honorable Court, all creditors and parties in interest, of the filing of the aforementioned plan.

**Fourteen Days Notice To Parties In Interest**

Within **fourteen (14) days** after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to the aforementioned **POST CONFIRMATION MODIFIED PLAN** with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise. *Fed. R. Bankr. P. 2002 (b) and LBR 9013-1.*

**I HEREBY CERTIFY** that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to: Chapter 13 Trustee, and Monsita Lecaroz Arribas, Esq., Assistant U.S. Trustee. Furthermore, I hereby certify that all non CM/ECF participants will be served with an exact copy of this document by regular U.S. mail, postage prepaid, sent to their addresses of record as these appear in the attached master address list of record.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, May 6, 2011.

**s/JOSE L. JIMENEZ QUINONES**  
JOSE L. JIMENEZ QUINONES  
USDC-PR 203808  
THE HATO REY CENTER, STE. 1118  
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SAN JUAN, PR 00918  
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United States Bankruptcy Court  
District of Puerto Rico

IN RE:

ROSARIO SANTOS, DILENI MARIA

Case No. 09-00945

Chapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

- The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee  directly  by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
- The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: <u>5/06/2011</u>		<input type="checkbox"/> AMENDED PLAN DATED: _____ Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other																																					
<b>I. PAYMENT PLAN SCHEDULE</b> <table border="1"> <tr><td>\$</td><td><u>660.00</u></td><td><u>x</u></td><td><u>10</u></td><td>= \$</td><td><u>6,600.00</u></td></tr> <tr><td>\$</td><td><u>0.00</u></td><td><u>x</u></td><td><u>1</u></td><td>= \$</td><td><u>0.00</u></td></tr> <tr><td>\$</td><td><u>660.00</u></td><td><u>x</u></td><td><u>48</u></td><td>= \$</td><td><u>31,680.00</u></td></tr> <tr><td>\$</td><td><u>1,320.00</u></td><td><u>x</u></td><td><u>1</u></td><td>= \$</td><td><u>1,320.00</u></td></tr> <tr><td>\$</td><td></td><td><u>x</u></td><td></td><td>= \$</td><td></td></tr> <tr> <td colspan="4"></td> <td>TOTAL: \$</td> <td><u>39,600.00</u></td> </tr> </table>		\$	<u>660.00</u>	<u>x</u>	<u>10</u>	= \$	<u>6,600.00</u>	\$	<u>0.00</u>	<u>x</u>	<u>1</u>	= \$	<u>0.00</u>	\$	<u>660.00</u>	<u>x</u>	<u>48</u>	= \$	<u>31,680.00</u>	\$	<u>1,320.00</u>	<u>x</u>	<u>1</u>	= \$	<u>1,320.00</u>	\$		<u>x</u>		= \$						TOTAL: \$	<u>39,600.00</u>	<b>II. DISBURSEMENT SCHEDULE</b> A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ <u>125.00</u> B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. <u>BANCO SANTANDEI</u> Cr. <u>FIRST BANK PUERT</u> Cr. <u>BANCO SANTANDEI</u> # <u>POST-PET ARREAR</u> # <u>paid before LOS</u> # <u>XXXX7708</u> \$ <u>1,964.74</u> \$ <u>4,635.55</u> \$ <u>5,562.58</u> 2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 3. <input checked="" type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. <u>TOYOTA CREDIT DE</u> Cr. _____ Cr. _____ # <u>XXXXX77456</u> # _____ # _____ \$ <u>11,762.50</u> \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder:  5. <input type="checkbox"/> Other: 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: <u>BANCO SANTANDEI</u> C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements.  OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) See Continuation Sheet	
\$	<u>660.00</u>	<u>x</u>	<u>10</u>	= \$	<u>6,600.00</u>																																		
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\$		<u>x</u>		= \$																																			
				TOTAL: \$	<u>39,600.00</u>																																		
Additional Payments: \$ <u>2,502.00</u> to be paid as a LUMP SUM within <u>56 months</u> with proceeds to come from:  <input type="checkbox"/> Sale of Property identified as follows:  <input checked="" type="checkbox"/> Other: <b>Three Periodic Payments of \$834.00 on/before months 36, 46, 56 of the Plan.</b>  Periodic Payments to be made other than, and in addition to the above: \$ <u>          </u> x <u>          </u> = \$ <u>          </u>		<b>PROPOSED BASE: \$ <u>42,102.00</u></b>																																					
<b>III. ATTORNEY'S FEES</b> (Treated as § 507 Priorities)  Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>1,500.00</u>																																							
Signed: <u>/s/ DILENI MARIA ROSARIO SANTOS</u> Debtor   Joint Debtor																																							

**AMENDED CHAPTER 13 PAYMENT PLAN**  
**Continuation Sheet - Page 1 of 2**

**Executory Contracts - Assumed:**

Cr	#	\$
ALTAGRACIA BURG		
AUTORIDAD DE ACU		
AUTORIDAD DE ENE		
LEOCADIO OLEA PA		

## AMENDED CHAPTER 13 PAYMENT PLAN

Continuation Sheet - Page 2 of 2

1. MONTHLY ADEQUATE PROTECTION PAYMENTS OF \$125 STARTING AT MONTH ONE (1) OF THE PLAN UNTIL CONFIRMATION TO TOYOTA CREDIT DE PR, PO BOX 366251, SAN JUAN PR 00936 OR CREDITOR'S PAYMENT ADDRESS OF RECORD WITH THE TRUSTEE. INSURANCE WILL BE PROVIDED THROUGHT THE PLAN AFTER THE CAR LOAN MATURITY DATE: ESTIMATED TOTAL COST OF INSURANCE IS \$1,634.
2. PRE AND POST PETITION MORTGAGE ARREARS THROUGH THROUGH MAY 2009 WILL BE PAID BY THE TRUSTEE TO BANCO SANTANDER. DEBTOR WILL BEGIN DIRECT MORTGAGE PAYMENTS TO SNATANDER IN JUNE 2009.
3. DEBTOR INCURRED IN POST PETITION ARREARS OF HER MONTHLY INSTALLMENT PAYMENTS FOR HER MORTGAGE FROM DECEMBER 2010 THROUGH MARCH 2011 FOR A TOTAL OF \$3,529.48 WHICH SHE WILL PAID \$1,564.74 (2 MONTHS WITH ITS LATE CHARGES) DIRECTLY TO BANCO SANTANDER DE PUERTO RICO AND THE REMAINING \$1,964.74 (2 MONTHS WITH ITS LATE CHARGES AND ATTORNEY'S FEES) IS INCLUDED IN THIS PCM.
4. PRE-PETITION MORTGAGE ARREARS IN THE AMOUNT OF \$4,635.55 WERE PAID BY THE TRUSTEE TO FIRST BANK BEFORE THE STAY WAS LIFTED OVER DEBTOR'S PROPERTY LOCATED AT 514 CALLE JOSE SEVERO QUINONES, AT SANTURCE, PR, AND ITS CLAIM (POC #5 ) WAS WITHDRAWN.
5. THE STAY WAS LIFTED OVER DEBTOR'S RESIDENTIAL PROPERTY (514 CALLE JOSE SEVERO QUINONES AT SANTURCE). THE PROVISION TO SELL WITHIN 18 AND PAY FIRST BANK DIRECT MONTHS IS MOOT.
6. THIS PLAN INCLUDES \$350.00 IN ADDITIONAL ATTYORNEY'S FEES FOR THE PCM .

14 DAYS NOTICE: THIS PLAN PROVIDES FOR PRO-RATA PAYMENTS TO SECURED CREDITORS RATHER THAN EQUAL MONTHLY PAYMENT AMOUNTS. FURTHERMORE, IT PAYS ONLY THE VALUE OF THE COLLATERAL TO SECURED CREDITOR TOYOTA MOTOR CREDIT DE PR CORP. PARTIES ARE ADVISED THAT THEY FOURTEEN (14) DAYS FOR FILING OBJECTIONS TO THE PLAN WITH THE COURT. OTHERWISE, ABSENT ANY OBJECTIONS, THE COURT MAY CONFIRM THE PLAN AS PROPOSED.

Label Matrix for local noticing  
0104-3  
Case 09-00945-ESL13  
District of Puerto Rico  
Old San Juan  
Fri May 6 09:59:36 AST 2011

MONEY EXPRESS  
MARIA M BENABE RIVERA  
PO BOX 9146  
SAN JUAN, PR 00908-0146

US Bankruptcy Court District of P.R.  
U.S. Post Office and Courthouse Building  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

AT&T Mobility (PR)  
Before Cingular Wireless  
PO BOX 192830  
SAN JUAN PR 00919-2830

AUTORIDAD DE ENERGIA ELECTRICA  
P.O. BOX 363508  
SAN JUAN, PR 00936-3508

CITIFINANCIAL  
1416 PONCE DE LEON AVE  
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First Bank De Puerto Rico (VTQ)  
MARTINEZ & TORRES LAW OFFICES P.S.C.  
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SAN JUAN PR 00919-3409

JC PENNEY  
PO BOX 960090  
ORLANDO, FL 32896-0090

MONEY EXPRESS  
BANKRUPTCY DIVISION  
PO BOX 9146  
SAN JUAN PR 00908-0146

Recovery Management Systems Corporation  
For GE Money Bank  
dba GAP  
25 SE 2nd Ave Ste 1120  
Miami FL 33131-1605

BANCO SANTANDER PR  
C/O Ramos & Bagule Law Office  
PO BOX 306  
Caguas, PR 00726-0306

PR ACQUISITIONS LLC  
AMERICAN INTL BUILDING  
250 MUÑOZ RIVERA AVENUE SUITE 1200  
HATO REY, PR 00918-1814

ABBAS KHORSANDI  
C/O # 1953 AVE. BORINQUEN  
SANTURCE, PR 00915

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BANCO POPULAR DE PR  
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SAN JUAN PUERTO RICO 00936-6818

EASTERN AMERICA INSURANCE CO  
PO BOX 9023862  
SAN JUAN PR 00902-3862

GAP CARD  
PO BOX 530942  
ATLANTA, GA 30353-0942

LEOCADIO OLEA PACHE  
CALLE SEVERO QUINONES 514  
BO. OBRERO  
SAN JUAN, PR 00915-3428

MONEY EXPRESS  
PO BOX 11890  
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Recovery Management Systems Corporation  
For GE Money Bank  
dba JCPENNEY CREDIT SERVICES  
25 SE 2nd Ave Ste 1120  
Miami FL 33131-1605

FIRST BANK DE PUERTO RICO  
MARTINEZ & TORRES LAW OFFICES  
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SAN JUAN, PR 00919-3409

RECOVERY MANAGEMENT SYSTEMS CORP  
ATTN RAMESH SINGH  
25 SE 2ND AVE STE 1120  
MIAMI, FL 33131-1605

ALTAGRACIA BURGOS MENDEZ  
CALLE 8 #623  
BO. OBRERO  
SANTURCE, PR 00915-4117

AUTORIDAD DE ACUEDUCTOS Y ALCANTARILLADO  
P.O. BOX 70101  
SAN JUAN, PR 00936-8101

BANCO SANTANDER  
PO BOX 362589  
SAN JUAN, PR 00936-2589

FIRST BANK PUERTO RICO  
DEPTO. DE EJECUCIONES  
PO BOX 9146  
SAN JUAN, PR 00908-0146

ISLAND FINACE  
PO BOX 12308  
SAN JUAN, PR 00914-0308

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PR ACQUISITIONS LLC  
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HATO REY, P.R 00918-1814

SANTANDER FINANCIAL SERVICES D/B/A ISLAND FI  
C/O LIGIA RIVERA BUJOSA  
PO BOX 7011  
PONCE PR 00732-7011

SANTANDER VISA  
PO BOX 191080  
SAN JUAN, PR 00919-1080

TOYOTA CREDIT DE PUERTO RICO  
PARQUE LAS AMERICAS 1  
CALLE FEDERICO COSTA, STE. 501  
SAN JUAN, PR 00918

TOYOTA CREDIT DE PUERTO RICO  
PARQUE LAS AMERICAS I, SUITE 501  
235 CALLE FEDERICO COSTAS  
SAN JUAN, PR 00918-1341

TOYOTA CREDIT DE PUERTO RICO  
PO BOX 71410  
SAN JUAN, PR 00936-8510

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SAN JUAN, PR 00936-8510

Toyota Credit de Puerto Rico Corporation  
P.O. Box 366251  
San Juan, Puerto Rico 00936-6251

ALEJANDRO OLIVERAS RIVERA  
ALEJANDRO OLIVERAS, CHAPTER 13 TRUSTEE  
PO BOX 9024062  
SAN JUAN, PR 00902-4062

DILENI MARIA ROSARIO SANTOS  
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MONSITA LECAROZ ARRIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901-1938

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) ATT CINGULAR  
PO BOX 15067  
SAN JUAN, PR 00902-8567

(d) AUTORIDAD DE ACUEDUCTOS Y ALCANTARILLADO  
PO BOX 70101  
SAN JUAN, PR 00936-8101

(d) AUTORIDAD DE ENERGIA ELECTRICA  
PO BOX 363508  
SAN JUAN, PR 00936-3508

(d) BANCO SANTANDER PR  
C/O RAMOS & BAGUE LAW OFFICE  
PO BOX 306  
CAGUAS PR 00726-0306

End of Label Matrix	
Mailable recipients	39
Bypassed recipients	4
Total	43